

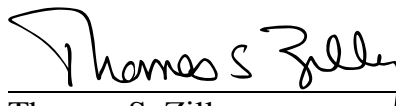
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH STANLEY PIGOTT,)	Case No. C05-963-TSZ-JPD
)	
Petitioner,)	
)	
v.)	ORDER DISMISSING § 2254
)	PETITION WITHOUT PREJUDICE
RICHARD MORGAN,)	
)	
Respondent.)	
_____)	

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer to the petition, the Report and Recommendation of James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the unopposed Report and Recommendation.
- (2) Petitioner's federal habeas petition (Dkt. No. 6) is DISMISSED without prejudice.
- (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Donohue.

DATED this 14th day of November, 2005.



Thomas S. Zilly
United States District Judge